

TOWN OF NEWSTEAD
PLANNING BOARD MINUTES
March 6, 2000

PRESENT: Dave Wakeman, Chairman Bill Walworth, Deputy Bldg. Inspector
 Andy Kelkenberg Rebecca Baker, Planning Board Clerk
 John Potera
 Terry Janicz
 Mary Valentine
 Tom Cowan

The meeting was called to order at 7:35pm. Andy motioned to accept the minutes with two changes; John seconded the motion and all approved.

Dave updated the board on the following items:

- An area study regarding moving the Williamsville toll barrier
- The Cornell Farm Preservation study in East Aurora March 8th
- An informational meeting regarding the Scotland Rd. rezoning to be held March 14th 7:00pm
- A workshop on Purchasing Farmland Developmental Rights on March 14th in Batavia
- A question arose as to the ownership of the McNeeley subdivision retention pond. Dave will look into this matter further at the request of a real estate agent.
- A letter from Passero Associates informing the planning board that the FAA needs to be informed of any development within 2 miles of any airport.
- Dave questioned the variance being requested by the Sowinskis on Crittenden Rd. That is an R1 Zone, and the reason for their request was questioned. Dave thought it important that the ZBA be informed of the planning board's opinion.

The board held the following public hearings:

1. The public hearing to hear comments for or against the Meides subdivision on Maple Rd was opened at 8:10pm. Attendance as listed above and Mrs. Meides.
 The clerk read the proof of publication dated February 22, 2000.
 No previous written or verbal comments were received.
 One lot (180' x 277'), which drains entirely to the road ditch, is requested.
 There being no one to further speak for or against, John motioned to close the hearing at 8:17pm. Tom seconded the motion and all approved.

Mary motioned to approve the above-mentioned subdivision; John seconded the motion and all approved.

2. The public hearing to hear comments for or against the Baker subdivision on Downey Rd. was opened at 8:22pm. Attendance as listed above and Mr. and Mrs. Gary Baker
 The clerk read the proof of publication dated February 22, 2000.
 No previous written or verbal comments were received.
 One lot (198' x 667'), which drains to Downey Rd, is requested.
 There being no one to further speak for or against, John motioned to close the hearing at 8:29pm, Tom seconded the motion and all approved.

Terry motioned to approve the above-mentioned subdivision; Andy seconded the motion and all approved.

Dave read a letter from Mr. Casilio, withdrawing their request for a minor subdivision for the parcel of land on Main Rd. being split off NorthStar's parcel.

3. The public hearing to hear comments for or against the NorthStar subdivision on Main Rd. was opened at 8:40pm. Attendance as listed above and Mr. Casilio, Attorney for NorthStar
 The clerk read the proof of publication dated February 22, 2000.
 No previous written or verbal comments were received.
 After some discussion and explanation of the options available to the purchasers, Tom motioned to table the decision until the next meeting (March 20th) in order to receive input from the buyers. John seconded the motions

and all approved. If a subdivision is requested, there will be no refund of fees, separate tax bills will be issued and the issue is closed. If the buyers wish to adjoin the subdivided lot to their existing lot, a portion of the subdivision fee may be refunded, one tax bill will be issued, a new survey and deed is required, and no subdivision approval is necessary. Mr. Casilio will call the building department prior to March 20, 2000 with their decision. The hearing was closed at 9:03pm by a motion from Tom and seconded by Terry.

Jim Ebersole, Newstead Highway Superintendent, requested permission to speak regarding ditching easements. After having met with the Newstead Ditching Committee, Jim believes the Town needs to begin requiring easements or written permission from the land owners to allow the Town access to their properties for maintenance of town ditches for drainage purposes.

Don Folger informed the board that DEC and Erie County Planning has signed off on the Kelly Schultz and Golden Pond projects. The DEC requires more definitive information from ADESA before they will sign off on that project.

The board was presented with the new Golden Pond map. The board requests that they be present at the next meeting to answer questions.

Buffalo Well Drilling was not prepared for this meeting and may have their information for the next meeting. A letter was received from ADESA to Buffalo Well Drilling, withdrawing the lease for the portion of land behind their two parcels. They are asked to replant trees that were cut down, To reconstruct the fence and remove all pipes.

Terry motioned to adjourn the meeting at 9:50pm, John seconded the motion and all approved.

Respectfully submitted,
Rebecca K. Baker, Planning Board Clerk